Decision No. 23023

BEFORE TEE RAIIROAD COMAISEION OF TEE SNAME OF CALITORNLA.


#### Abstract

In the mattex of applicetion of SOUTHERN PACIFIC COMPANY for an order authorizing it to sell and convey cer tain land in exchango jor certain other) 2and, eil in the ctiy of Berkeiey, County of diemeda, State of Cailiomie, and to relocato passenger shelter shed at Thousend Oejes Station in said City of Berieley.


BY IEE COMCSSION:

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Southem Pacisic Company, a corporation, filed the above entitied appication 7 rith this Commasion on the l8th cay of October, 1930, asking for authority to seli and convey certeln lends in the $\nabla$ icinity of Thouseme Oaks Stetion on its electric innes in the City ot Berkeley, as hereinatter described, in exchange for certein other Lands bounded by Vizginia, Seconc, Cedar ond Third Streets in the city of Beriseley, as hereinatter described, and to relocate its passenger sheiter shed at Thoussme Daks Station in said City of Berkeley.

Lypifcant elleges that the land it propases to sell
is located in a residential and business district and connot be developed for industrial purposes; that fte ledger value is the sum of \$11,027.00 and in appicent's opinion bas a present mariket Vaine of \$29,915.00. applicent farther alleges that the present location of its pessenger sheiter shed is not properiy located since the remotel of its tracks from Solano krearue, authorized by the Comission's Decision No. 18142, dated Barch 30, 1927, in Appilcation No. 13600. Appixcant further aileges that the percea

O: lend proposed to be conveged to it has a preeent market velue of $\$ 36,428.00$ and is suitable for railrosd purposes and for industriai development, and that in its opinion the interests of the pubilc will be best serfed by the exchange of said property and by the zelocation of its safe passenger shelter shed.

The City Council of the City of Berkeley and the Solano Arenue Comercial Association bave by resolation approred the granting ot this appicetion.

It appears to the Comission that this is not a matter in which a probic hearing is necossary and that the appifcotion should be granted, thereione

II IS HEREBY ORDERED thet Sorthem Pacince COMpany, a comporation, be and it is beceby authorized to sell and convery certain Iend in the City of Berkeley, ws.shown on Exhiblt "A" attached to the appication and described as foliows:

PARCES NO. 1:
RROEMRTY ATS SOTHETEST CORNER OE SOLANO AND FRESNO ATENUES:
Begincing at a point on the westeriy inne of Presno avenne said point of beginaing being at the southeast corner of Lot NO. I, Block No. 5, as the same are delineated and so designated apon thet certein mesp eatitiod Morthbree, Berieley, Caifiormia," liled April 8, 1907, in IfDer 22 of Neps, page 65 in the oftice of the county Recorder ot the County ot inemeda, State of Cailfornia; thence olong the westerly inne of Fresno Averue and the easteriy ilne ot Lot I, Biock 5, Nozti $8018-1 / 2$, west 85.24 feet to a point; thence aiong the arc of a curve concare to the lett, with a radins oI 30.0 Leet, a alstence ot 14.6 Leet to a point (the long chord of dest named curve bears Nortin $23015 \mathrm{~m}^{\prime} / 4^{\prime}$. Test, 14.46 Ieet); thence South $68055-1 / 2^{\prime}$ West 45.47 feet to a point on the ilne betreen Iots Nos. 1 and 29; thence sonth $5102 s^{+}$West, 81.93 =eet to a point; thence South $9^{\circ} 18-1 / 2^{\prime}$ Sast 50.0 Seet to a point on the southerly 11 ne of Lot No. 2s; theace alomg the sontheriy ilne of Lots Nos. 28, 29, and 1, North $800_{41}-1 / 2$ East 119.50 zeet to the pojut of beginning.

The above described percel of land compristing portions of Iots Nos. 1, 29 end 28, Block 5, end containing an area of $9,548.13$ square feet, pins or minos.

PARCEI NO. 2:
ERORERTY AT SOJNEEAST CORNER OE COLUSA AND SOLANO AVENUES:
Beginning at a point on the easteriy line ot Colusa srenue and the resteriy line ot Iot 26, Block No. 5 as seme are delineated and so designeted upon that certain map entitied "Northbrae, Bericeley, Cailfornia," filed kpriz 8, 2907, in Tiber 22 of vipe, page 65, in the ofrice of the County Recorder of the County of Alameda, state of Caiifornle; seid point of beginuing being alstant northeriy elong the easteriy inne of Coluse tveane 84.0 feet from the southmest comer of Lot 26; thence North 75020 Enst 75.0 Leet to a point; thence Nomth 62013. Eest 64.04 Ieet to a point; thence North $9^{\circ} 18-1 / 21$ Fiest 11.00 leet to $a$ goint on the soutneriy inne of Solano Avenae; thence westerly along the southeriy ifne of Solano Arenue South $86^{\circ} 03-1 / 4^{\circ}$ सest, 208.55 =eet to a point; thence aions the arc of a curre concare to the lett, mith a zadfus of 25 Ieet, a distence of 41.62 feet (the Ions chozd of Iast nemed curre bears South $38022 \mathrm{~m} / \mathrm{m}^{\prime}$. West 36.97 feet); thence southeriy along the easteriy inne of Colnsa. ivenue South 901eni/2' Eest, 23.55 feet to the posnt on beETnnine. The above described percel of land cornpising portions of Lots Nos. 26, 27 end 28; enc containing an area of 4,576.33 square feet, pins or minus.

PARCEL NO. $3:$
YRORERTY AT SOUNEWEST CORNER OF SOLANO AND COEUSA AVENUES:
Beginaing at a point on the westeriy line ot colasa Avenue and the easteriy line of Iot No. I, Block 8, as the same are deinneated and so designated apon that ceztain mp entitied "Northbree, Berkeiey, Califomafa," filed cpril e, 1907, 士n Ifber 22 of Neps, pacc 65, in the office of the County Recorder of the Cownty of Ala meda, State of Californit; said point of begianing being distent 45.0 feet northeriy from the southeast corner of said Iot 1 , Block 8 ; thence northemiy ajoms the easteriy inne of Iot 1 and the reateriy line of Colasa Krenue North 9018-1/2. Hest 32.08 teet to a point; thence aiong the arc of a curve conceve to the leit, baving a radius of 30 foet, a Instance of 44.32 leet to a point (the long chond of last named curve beers Nomth 51037-1/2. Test 40.40 Ieet);
 South 68036" Eest 107.00 Ieet to a point; themce South 29020" Eest. 48.94 Icet to the point of begtaning. The above described percel $0=$ lend comprsing portions of Lots i, 21 end 20 of Block Kio. 8, end conteining en area of 4,362.18 square leet, plus or minns.

PLZCET NO. 4:
PROPERTV AN SOUTEEAST CORNER OF NODOC SNREET AND SOTANO AVENUE:
Beginning at a point at the southmest corner of Lot 28, Block 8 , as the same are deilneated and so designated apon that certoin map entitled Nomthbrae, Berkeley, Cailyosnia," IIIed dpril 8,1907 , in Inder $220 \%$ Nens, page 65, in the ofifce of the County Recorder of the Connty of IIameda, State of california; thence easteriy alomg the southeriy IInes of Lots 18 and 19, Bioci 8, North, $80^{\circ} 41-1 / 2$ East 92.0 feet. to point at the soatheast cornez of Iot 19; thence notheriy alone the easteriy inge of Iot 29, Nozth

9018-2/2* West 62.0 Leet to e posnt; thence North 63039-1/4. Hest 56. 61 feet to e posint; thence North
 are of a curve concere to the left having a zedins of 25.0 teet a distanco of 17.96 teet to a point (the Iong chord of 1est named curve beers Soath 11016" West, 27.57 Ieet): thence southeriy along the easteriy inno of 210 doc Street and the resteriy ilne of LOt 28 , Sonth gojeri/2 Lest 97.55 feet to the point or begtinang. The abore etscribed parcel of land comprising portions of tots 18 and 19, BIock 8, aci conteining an area of 8,378,25 squere teet, pins or minus.

PARCPI NO. 5:
PROREENY LOCATED EEST OF THEE ATAMEDA:
Begfaning et a point on the easteriy inne of the Blameda, NOFth 90jemi/2. Hest and distent 273.64 foet Irom the northeriy inre of Los nencles wreme as sade Street end drenie are shown on the map hereinatter referred to; thence North $80041-2 / 2^{+}$Eest 153.33 Iect to a point; thence North $18046-1 / \mathbf{s}^{\prime \prime}$. West 50.69 Ioet to a point; thence Sonth 800 脌-1/2' West 245.00 Leet to a point on the easteriy line of The hlemela; thence southeriy along the easteriy ilne of the slameda, South 9018-1/2: East 50.00 leet to the point ot beginaling. The above described parcel of land being all of Iot No. 29 , Block No. 2 , as seid lot and block ere delineated and so desiecated zpon that certain map entitied nerkeiey Square, Berkeley, Ceiliornian" ilied bpril 25, 1910 , In isber 25 of wows, page 54 in the oftice of county Recozter of diameda county end conteining an acea ot 7,458.25 square feet, pius or minus.

The above percels of lema are in exchange for certain
other Iand in said city of Berkeiey, as shown on proibzt "B"
attached to the epplication and describec as toliowe:
On the North by Cedar (Iormeriy Eolyoke) Street, on the Past by Maird. Street, on the Soath by Virginia Street and on the liest by Second Street.

Being Biock Lettozed TIT as seme is deilmeated and so designated apon that certain mep entitied Map of Iract $B$ of the Berkeiey I.T.I. Association, surveyed and subdirided by M. G. Kang, C. E. OakIam, AIameda County, Coliformia, $1875, "$ IIIed February 4, 2876 in the ofilce of the Connty Recorder of Aiemede County.

Excepting theretrom that portion of the Blocir described as foliome:

Beefnaing at a point 16 teet Southwesterly aiong the Southeriy inne of cedar street, Iormeriy Eolyoke Street, from the Northeast corner of Block "I," of the Berkeley Jend and Tome Improvement associetion in the Toen of Berkeley, County of siemede, State of Ceilio, infe,
and running the ace Southwesterly 270.4 feet on a curve to the right of 462.7 feet radius; thence 106.7 feet southwesterly along the tangent to the curve at this point; thence 176.9 feet Southwesterly on a curve to the lett of 492.7 feet radians to a point on the Easterly ane of Second Street, 375.1 feet from the Northwest comer of said Block "I"; thence Southeasterly along the Easterly inge of second Street 82.7 feet; thence at right angles Easterly 8.4 feet; thence in a Northerly direction 240 feet on a cure to the right of 462.7 feet redis; thence Northeasterly 108. 7 feet on a tangent to the curve at this point; thence Northeasterly 349.7 feet on a curve to the left of 492.7 feet radius to a point 39.8 feet Southerly alone the Easterly lune of said Block from the Northeast corner ot seed Block; theme e in a Northerly direction along the Easteris line of said Block 39.9 feet to the Northeast comer of said Block; thence westerly along the Northerly inge of said Block 16 Leet to the point of beginning.

The some being a strip of 10 c in 30 leet in width through said Block "I," of the Berkeley Land and Town Tmprovement association.

Containing 34/100 (.34) ot an acre.
Said conveyance of lends shell be sribstontieily in accordence with the terms as specified in copies of deeds (Brhibits $C$ ane D) attached to the plication.

IT IS EMROBY FORTEER ORDERED that permission and anthority be and it is hereby granted to Southern Pacific Company to relocate !ts passenger shelter shed from a location at the southwest comer of Solano and Colure avenues, City of Berkeley, and es shown enclosed in yellow lines on Prohibit "A" attached to the application, to a location on the east side of Coinage avenue and approximately one homered (I00) Leet south of solano aroma, in said city, sad as show enclosed in fed lines on Exhibit *A" attached to the application.

The authorization herein granted shall become effective on the cate hereof.

Dated at San Francisco, California, this
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